

U.S. Department of Justice
United States Attorney
Western District of New York

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PRESS RELEASE

June 9, 2004

RE: UNITED STATES v. BRIAN PERRY

In what is believed to be one of the first convictions of its kind in the last thirty years, United States Attorney Michael A. Battle announced today that Brian Perry, age 43, of Niagara Falls, New York, plead guilty before the Hon. Richard J. Arcara, United States District Judge, to committing racketeering conspiracy as part of a pattern of violence committed by the Niagara Falls, New York labor union Laborers Local 91. This charge, which had been contained in a Second Superseding Indictment charging Perry and fourteen others with multiple acts of violence, was a violation of Title 18, United States Code, Section 1962(d), and carries a maximum penalty of 20 years imprisonment, a fine of \$250,000.00, or both. It should be noted that the fact that a defendant has been charged with a crime . . . is merely an accusation and the defendant is presumed innocent until and unless proven guilty. (**Disciplinary Rule 7-107(B)(6)**).

Assistant U.S. Attorney William J. Hochul, Jr., who handled the case, stated that the charges arose from a lengthy criminal investigation of Laborers International Union of America, Local 91 (hereinafter "Local 91"), based in Niagara Falls, New York. Perry, who has been a member of Local 91 since 1982, and other Local 91 officers and members, were charged with engaging in a violent scheme to extort jobs, and the wages and benefits associated with those jobs, from union and non-union contractors and employees, at various construction projects in Niagara County, New York, over a six year period of time. One of the defendants, Michael "Butch" Quarcini, died prior to trial, while the other defendants are awaiting a trial scheduled for. The trial will be handled by Assistant U.S. Attorney Brett Harvey.

Michael A. Battle, United States Attorney, declared that this case sends an important message that violence at construction job sites and picket lines will not be tolerated.

As part of his guilty plea, Perry admitted that he and other members of Local 91 committed various acts of violence and threats of violence against persons and property at both the Clarion Hotel construction project in Niagara Falls, and the Wegmans construction project on Military Road in Niagara Falls, in 1998. At Wegman's the defendant admitted being involved in the physical attack of four members of the Tilers Union. Mr. Perry will now cooperate with the Government as part of his guilty plea.

The plea was the culmination of a joint investigation on the part of the United States Department of Labor, Office of Inspector General, under the direction of Eric Jann, the Federal Bureau of Investigation, under the direction of Special Agent in Charge Peter Ahern, the New York State Police, under the direction of Major John Askey, the Niagara County Sheriff's Office, under the direction of Sheriff Thomas Beilein, and the Niagara Falls Police Department, under the direction of Chief John Chella.

Sentencing is scheduled for January 7, 2005, at 12:30 p.m. in front of Hon. Richard J. Arcara, United States District Judge.

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